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LOUIS MARTIR AND LILIANA MARTIR

PLAINTIFF(S)

INDEX NO. 07 CIV 7922

**AFFIDAVIT OF SERVICE OF  
A SUMMONS AND COMPLAINT**

AGAINST

THE CITY OF NEW YORK, ET AL

Defendant(s)

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STATE OF NEW YORK, COUNTY OF NEW YORK, SS:

The undersigned, being duly sworn, deposes and says: deponent is not a party herein, is over 18 years of age and resides at MONMOUTH COUNTY, NJ

That on DECEMBER 10, 2007 at 8:35AM at the address  
26 JULIANNE COURT  
FREEHOLD, NJ 07728

deponent served the within **SUMMONS AND COMPLAINT**

UPON: **FRANK J. CIRILLO**

By personally delivering a true copy of the **SUMMONS AND COMPLAINT** to said served.  
Deponent knew the person so served the defendant described therein.

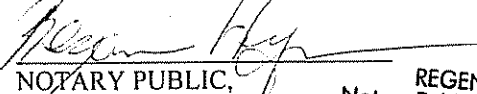
Deponent describes the person actually served as follows:

SEX : MALE  
SKIN: WHITE  
HAIR: GRAY  
AGE: 51-65  
HEIGHT: 5'8"-5'11"  
WEIGHT: 161-200  
Other Features: MUSTACHE

Deponent enclosed a copy of the summons and complaint in a postpaid envelope properly address to the last known address of said served at 26 Julianne Court, Freehold, NJ 07728 and said envelope was deposited in an official depository under the exclusive care and custody of the U.S. Postal Service..

  x   I Asked the person spoken to whether said served was in active military service of the United States or of the State of New York in any capacity whatsoever and received a negative response. Said served wore ordinary civilian clothing and no military uniform. The grounds of this belief and the source of my information in this regard are the observations and conversations accounted above. Hence, upon information and belief, I assert that the recipient is not in military service of the Unites States or of New York State as the term is defined in the State or in the Federal statutes.

Sworn to before me this 14<sup>TH</sup> day of DECEMBER, 2007

  
NOTARY PUBLIC,

NO:  
QUALIFIED IN  
COMMISSION EXPIRES: REGENIA HYMAN  
Notary Public, State of New York  
No. 01HY6045811  
Qualified in New York County  
Commission Expires July 31, 2010

  
JAMES NICOLETTI  
License No 826606